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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,351	05/01/2001	Philip D. Mooney	A2550.0009/P009	2591

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EXAMINER

HOOSAIN, ALLAN

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 01/30/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/845,351

Applicant(s)

MOONEY ET AL.

Examiner

Allan Hoosain

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8, 10-15, 17 and 18 is/are rejected.
- 7) ☒ Claim(s) 6, 9, 16, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 6,9,16,19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3,8,10-13,18 are rejected under 35 U.S.C. 102(e) as being anticipated by **Chavez, Jr. et al.** (US 6,427,074).

As to Claim 1, with respect to Figures 1 and 4, **Chavez, Jr.** teaches a wireless telephone device comprising:

a transceiver for transmitting and receiving wireless signals (Figure 1, label 107);

a control circuit for determining when said wireless telephone device is at a location

where a call forwarding operation should occur (Figure 4);

Art Unit: 2645

said control circuit automatically operating said transceiver to initiate a connection between said telephone device and a service provider when said telephone device is at said location and instructing said service provider to enable a call forwarding operation, said control circuit further operating said transceiver to send a forwarding number to said service provider (Figure 4, labels 407,408,409).

As to Claims 2-3, **Chavez, Jr.** teaches a wireless telephone device as in claim 1 wherein said location is a location of a power source for said wireless device, said wireless device further comprising at least one port for connecting with said power source, said control circuit determining when said wireless device is at said location by determining if said at least one port is connected with said power source (Figure 4, label 401 and Figure 1, label 106).

As to Claims 8,18, **Chavez, Jr.** teaches a wireless telephone device as in claim 1 wherein said control circuit determines when said wireless telephone device is no longer at said location and in response initiates a connection between said wireless device and said service provider, and instructs said service provider to disable said call forwarding operation (Figure 4, label 403).

As to Claims 10-13, with respect to Figures 1 and 4, **Chavez, Jr.** teaches a method of operating a wireless telephone device comprising:

determining when said wireless telephone device is at a battery charger (a location) where a call forwarding operation should occur (Figure 4, label 401);

Art Unit: 2645

automatically establishing a connection to a service provider in response to said determination, and during said connection (Figure 4, label 409):

instructing said service provider to initiate a call forwarding operation (Figure 4, label 409); and

sending a forwarding number to said service provider (Figure 4, label 409).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 4-5,7,14-15,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Chavez, Jr.** in view of **Ghisler** (US 5,953,657).

Art Unit: 2645

As to Claims 4,7,14,17, **Chavez, Jr.** teaches a wireless device as in claim 2 wherein:

Chavez, Jr. does not teach the following limitation:

“said control circuit receives through said port said forwarding number which is stored at said power source”

Ghisler teaches the limitation (Col. 6, lines 5-25). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add storage capability to **Chavez, Jr.**'s invention for storing forwarding numbers in battery chargers as taught by **Ghisler**'s invention in order to provide notification to wireless service providers to forward telephone calls.

As to Claims 5,15, **Chavez, Jr.** teaches a wireless device as in claim 2, wherein:

Chavez, Jr. does not teach the following limitation:

“said power source has an associated identification number, said wireless device further comprising a memory for storing at least one forwarding number in respective association with at least one a power source identification number, wherein said control circuit receives identification information from said power source and selects a forwarding number from said memory which is associated with said received identification information for sending to said service provider”

Ghisler teaches the limitation (Col. 6, lines 5-25 and Col. 7, lines 1-7). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add storage and identification capability to **Chavez, Jr.**'s invention for storing forwarding numbers and identification in battery chargers as taught by **Ghisler**'s invention in order to provide notification to wireless service providers to forward telephone calls.

Art Unit: 2645

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Akhavan (US 5,920,815) teaches call forwarding to cellular telephones in a Personal Communications System.

Jonsson (US 5,915,224) teaches call forwarding in wireless networks using a plurality of battery chargers.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

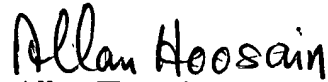
(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


Allan Hoosain
Primary Examiner
1/16/04